IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL.

Writ Petition No. 163 (SS) of 2007

Hemant Kumar Gupta,
S/o late Sri Har Saran Das Gupta,
Presently posted as Caretaker in
Rajkiya Sampraksan Grah, Roshnabad,
Hardwar,
District – Hardwar. **……Petitioner.**

Versus

1. Union of India through its Chairman, Central Advisory State Committee, State Advisory Committee, Jawaharlal Nehru Stadium, Gate No. 31, Lodhi Road, New Delhi. 110 003.
2. State of Uttarakhand through Secretary, Ministry of Women Welfare / Ministry of Social Welfare, Civil Secretariat, Dehradun.
3. Director, Women Welfare / Social Welfare, Haldwani, District – Nainital.
4. Secretary, Women Welfare Department, Secretariat, Uttar Pradesh, Lucknow.
5. Director, Women Welfare Department, 7th Floor, Jawahar Bhwan, Lucknow.

……..Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri Vivek Shukla, learned counsel for the petitioner, Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand on behalf of respondents no.2 and 3, Smt. Beena Pandey, learned Standing Counsel for State of U.P. on behalf of respondents no. 4 and 5 and Smt. Anjali, learned Standing Counsel for Union of India on behalf of respondent no. 1.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. *Issue a writ order or direction in the nature of Mandamus commanding the respondents no. 2 and 3 to decide the options submitted by the petitioners for retention of his services in the State of U.P. and to relieve them accordingly at the very early date.*

2. *issue any other order or direction, which this Hon'ble court may deem fit and proper in the circumstances of the case.*

3. *award the cost of the petition to the petitioner._*

The submission of the learned counsel for the petitioner is that petitioner, who was appointed as Caretaker in the State Observation Home, Roshnabad, Hardwar of U.P., had opted for State of U.P. and has been finally allocated to State of U.P. In spite of the fact that petitioner has finally been allocated to State of U.P., petitioner has not been relieved for State of U.P. by respondents no. 2 and 3.

Petitioner has not filed any document showing that he has been finally allocated to State of U.P.

Smt. Anjali, learned Standing Counsel for Union of India has submitted that petitioner has been finally allocated to State of U.P.

In the circumstances stated above, I deem it fit and proper to direct respondent nos. 2 and 3 to pass appropriate order for relieving of the petitioner to State of U.P. as early as possible.

With this directions, writ petition as well as interim relief application no. nil of 2007 is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

March 14, 2007
Sksharma